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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/814,168	03/07/97	KREKELBERG	D 19239/103/10

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EXAMINER

PHAN, L

ART UNIT

PAPER NUMBER

3632

DATE MAILED:

02/06/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**08/814,168**

Applicant(s)  
**David E. Krekelberg**

Examiner  
**Long Dinh Phan**

Group Art Unit  
**3632**



☒ Responsive to communication(s) filed on Mar 7, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-26 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-26 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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### **DETAILED ACTION**

This is the first Office Action for serial number 08/814,168, Camera Clip, filed on March 07, 1997. This application contains 1-26 claims.

#### ***Claim Objections***

Claims 2-13 and 15-26 are objected to because of the following informalities: on line 1 of claims 2-13 and 15-26, before "apparatus", "An" should be replaced with --The--. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

Claim 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The preamble of claim 1 is drawn to a subcombination of an apparatus comprising a hinge member and a support frame per se whereas line 3 appears to positively recite "rotatable attached to the camera" this implying a combination claim. On lines 12 and 13, "being substantially parallel to a first surface" is a combination claim. On lines 20-28, "the object having a second surface ..., the camera being maintained ..." is also claiming combination. It is not clear whether applicant intends to claim a subcombination or combination.

In claim 2, lines 3-6, "said second portion supporting the camera" and "said second portion are engaging the first surface" are claiming combination.

In claim 3, line 2, "to releasably hold and protect the camera" is a combination claim.

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On lines 2, 3, 5, 8, and 9 of claim 4, “ comprises the camera” and “ to protect a lens of the camera” are claiming combination.

On lines 2, 3, 6, and 7 of claim 5, “to protect the lens of the camera” and “the camera” are a combination claim.

In claims 6 and 7, lines 2-7, “support the camera” and “engage the first surface” are claiming combination.

On lines 2, 5, 7, and 8 of claim 8, “support camera”, “engage the first and the second surfaces”, and “a center gravity of the camera” are not a subcombination claim.

On lines 1 and 3 of claims 9 and 10, “the object” and “the first surface” are not claiming subcombination.

In claim 11, lines 1, 3, and 4, “the object”, “the second surface”, and “the first surface” are a combination claim.

In claim 12, line 4, “rotatably attaching the camera” is claiming combination.

On lines 1 and 6 of claim 13, “the camera” is a combination claim.

Claims 14-26 are having the same 112 problems of combination and subcombination as indicated in the above claims 1-14.

Applicant is advised to make all the necessary corrections for all the above claims 1-26.

***Allowable Subject Matter***

Claims 1-26 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action.

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***Conclusion***


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 1,208,344 to McAll discloses a camera holding device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Long Dinh Phan whose telephone number is (703) 308-3409. The examiner can normally be reached on Tuesday through Friday from 8:00 A.M. to 6:00 P.M. E.S.T.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168. The fax number for this Group is (703) 305-3597 or 3598.

Long Dinh Phan LDP

January 30, 1998

  
RAMON O. RAMIREZ  
PRIMARY EXAMINER  
ART UNIT 355